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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,115	02/28/2005	Juha Kaario	915-008,031	8532
4955 7590 07/20/2009 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468				
EXAMINER NGUYEN, VAN KIM T				
ART UNIT		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

## Application No.

10/526,115

## Applicant(s)

KAARIO ET AL.

## Examiner

Van Kim T. Nguyen

## Art Unit

2456

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/309)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This Office Action is responsive to communications filed on March 24, 2009. New claims 15-16 have been added, thus claims 1-16 are presented for examination.

#### ***Response to Arguments***

2. Applicant's arguments, see pages 4-5, filed March 24, 2009, with respect to the rejections of claims 1 and 8 under 35 USC § 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn and subsequent Advisory Office Action dated April 10, 2009 has been vacated. However, upon further consideration, a new grounds of rejection is made in view of Fukuda (US 2002/0116268), and further in view of Kovesdi (US 2003/0155413).

#### ***Claim Rejections - 35 USC § 103***

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1-8, 10-12, and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda (US 2002/0116268), in view of Kovesdi et al (US 2003/0155413).

Regarding claim 8, Fukuda discloses an apparatus (12, Figure 2) comprising:

a tag reader (17, Figure 2) configured to emit an interrogating radio signal in order to stimulate a radio frequency identification transponder tag to emit a response signal, which includes tag information, associated with a object, the tag reader further configures to receive such a response signal (¶[0038-0050]); and

a processor (51, Figure 2) configured to initiate the transmission of a message based upon the tag information; wherein the processor is further configured to provide the tag information received from the radio frequency identification transponder into a message generated in the apparatus (generate and send inquiry to advertising sponsor based on contact information contained in tag 16; ¶[0107-0112]).

Fukuda does not explicitly call for the associated object a multimedia object, or the transmitted message a multimedia message.

Kovesdi teaches associated media content to readable object identifiers such as RFID tags (abstract, ¶[0035-0036], ¶[0039] and ¶[0068-0069]).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to apply Kovesdi's method of binding associated media content to an object identifier in Fukuda's system, motivated by the desire to provide seamless mobile browsing by bridging different services in different domains.

Claims 1, 11-12, and 14-16 are rejected under the same basis.

Regarding claim 2, Fukuda-Kovesdi also discloses the tag information includes the multimedia object (Kovesdi, ¶[0062-0063]).

Regarding claim 3, Fukuda-Kovesdi also discloses the user is prompted to accept or reject the inclusion of the multimedia object into the message (Kovesdi, ¶[0076-0079]).

Regarding claim 4, Fukuda-Kovesdi also discloses the tag information is a link to the multimedia object, which is stored in a database (Kovesdi, ¶[0049-0051] and ¶[0071]).

Regarding claim 5, Fukuda-Kovesdi also discloses the database is stored in the portable, digital device (Figure 2; Kovesdi, ¶[0047] and ¶[0071]).

Regarding claim 6, Fukuda-Kovesdi also discloses the database is stored in a node in a mobile communication system, where the portable, digital device is registered (Figure 2; Kovesdi, ¶[0049-0051] and ¶[0071]).

Regarding claim 7, Fukuda-Kovesdi also discloses the database is stored in an internet server, which is accessible for a node in a mobile communication system, where the portable, digital device is registered (Figure 2; Kovesdi, ¶[0049-0051] and ¶[0071]).

Regarding claim 10, Fukuda-Kovesdi also discloses display the multimedia object before transmitting the message (Fukuda, ¶[0080-0082]).

5. Claims 9 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fukuda-Kovesdi, as applied to claim 8 above, in view of Kenny et al (US 6,989,741).

Fukuda-Kovesdi also discloses a keyboard (Fukuda, Figure 1), and the response signal indicating the portable digital device resides within a predetermined range from the RFID-transponder (Fukuda: ¶[0035] and [0044-0047]).

However, Fukuda-Kovesdi does not call for a key-lock functionality, and means for activating the key-lock functionality.

Kenny teaches a key-lock functionality, and means for activating the key-lock functionality (col. 4: lines 30-45).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize Kenny's method of tracking assets in Fukuda-Kovesdi's system in order to better manage and track electronic assets.

### *Conclusion*

6. Applicant's amendment necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Van Kim T. Nguyen whose telephone number is 571-272-3073. The examiner can normally be reached on 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Van Kim T. Nguyen  
Examiner  
Art Unit 2456

vkn

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2446